

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

ESTEBAN DELGADO CAMACHO,)	
)	
Petitioner,)	
)	
v.)	Nos. 2:14-CR-35-RLJ-MCLC-2
)	2:17-CV-56-RLJ
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

MEMORANDUM OPINION

Federal prisoner Esteban Camacho (“Petitioner”) filed a motion for post-conviction relief pursuant to 28 U.S.C. § 2255 on June 13, 2016 [Doc. 223]. This Court denied the same on March 29, 2017 [Docs. 228, 229]. Petitioner recently submitted a second collateral challenge to the same criminal conviction [Doc. 233] and request for leave to litigate the claims [Doc. 230]. Also before the Court are Petitioner’s contemporaneously filed motions for leave to amend the previously dismissed petition [Doc. 231] and for “assistance” with resolution of his case [Doc. 232].

Under the “Antiterrorism and Effective Death Penalty Act of 1996,” Petitioner cannot file a second or successive § 2255 petition in the District Court until he has moved in the United States Court of Appeals for the Sixth Circuit for an order authorizing the District Court to consider the motion. 28 U.S.C. § 2255(h). No such order has been received by this Court. Accordingly, the Clerk will be **DIRECTED** to **TRANSFER** the successive petition and request for leave to file the same [Docs. 230, 233] to the United States Court of Appeals for the Sixth Circuit pursuant to 28 U.S.C. § 1631. The contemporaneously filed motions [Docs. 231, 232] will be **DENIED as moot**.¹

¹ To the extent that Petitioner intended the motion for “assistance” as one for counsel to assist in obtaining authorization, he should direct that request to the Sixth Circuit Court of Appeals.

IT IS SO ORDERED.

ENTER:

s/ Leon Jordan
United States District Judge